

EXHIBIT J

ORIGINAL

Page 1

1
2 UNITED STATES DISTRICT COURT
3 EASTERN DISTRICT OF NEW YORK

4 SUSAN McCARTHY,

Plaintiff,

- against -

5
6 ROOSEVELT UNION FREE SCHOOL DISTRICT;
7 DEBORAH L. WORTHAM, individually and
8 in her Official Capacity; CLYDE
9 BRASWELL, individually and in his
10 Official Capacity; EDITH HIGGINS,
11 individually and in her Official
12 Capacity; Roosevelt Union Free School
13 District employees "JOHN DOE" 1-10 (the
14 name "John Doe" be fictitious, as the
15 true names are presently unknown);
16 COUNTY OF NASSAU; NASSAU COUNTY POLICE
17 DEPARTMENT; POLICE OFFICER JOSEPH STASSI,
18 individually and in his Official
19 Capacity; POLICE OFFICER MONIQUE AMODEO,
20 individually and in her Official
21 Capacity; MEDIC MATTHEW FIELD,
22 individually and in his Official
23 Capacity; Nassau County employees
24 "JOHN DOE" 11-20 (the name "John Doe"
25 being fictitious, as the true names are
presently unknown),

Defendants.

240 Denton Place
Roosevelt, New York
May 12, 2016
2:11 P.M.

WITNESS: MONIQUE AMODEO

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5 DEPOSITION of MONIQUE AMODEO, one of the
6 Defendants herein, taken by the Plaintiff and
7 Co-Defendants herein, pursuant to The Federal Rules
8 Of Civil Procedure, held at the above-mentioned time
9 and place, before Raymond Stalker, RPR, a Notary
10 Public of the State of New York.
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2 A P P E A R A N C E S :

3 WOLIN & WOLIN, P.C.

Attorneys for Plaintiff

4 420 Jericho Turnpike

Jericho, New York 11753

5
6 BY: ALAN E. WOLIN, ESQ.

7 SILVERMAN & ASSOCIATES

Attorneys for Defendants

8 Roosevelt Union Free School District,

Deborah L. Wortham, Clyde Braswell,

9 Edith Higgins,

445 Hamilton Avenue

10 White Plains, New York 10601

11 BY: GERALD S. SMITH, ESQ.

12 NASSAU COUNTY ATTORNEY'S OFFICE

13 Attorneys for Defendants County of Nassau,

Nassau County Police Department, Police

14 Officer Joseph Stassi, Police Officer Monique

Amodeo, Medic Matthew Field

15 One West Street,

Mineola, New York 11501

16
17 BY: LIORA BEN-SOREK, ESQ.

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5 IT IS HEREBY stipulated and agreed by and
6 among counsel for the respective parties hereto,
7 that the sealing and certification of the within
8 deposition shall be and the same hereby waived.

9 IT IS FURTHER STIPULATED AND AGREED that all
10 objections, except to the form of the question,
11 shall be reserved to the time of trial;

12 IT IS FURTHER STIPULATED AND AGREED that the
13 within deposition may be signed before any Notary
14 Public with the same force and effect as if signed
15 and sworn to before the court.
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1 MONIQUE AMODEO

2 M O N I Q U E A M O D E O, one of the Defendant-s
3 herein, having first been duly sworn by a Notary
4 Public of the State of New York, was examined and
5 testified as follows:

6 MR. WOLIN: Good afternoon,
7 Officer. My name is Alan Wolin. I'm
8 an attorney. I represent Susan
9 McCarthy in this lawsuit. I'm going
10 to be asking you a few questions
11 concerning the facts and
12 circumstances of the lawsuit. If at
13 any time I ask you a question which
14 you do not understand, ask me to
15 rephrase and I will attempt to do the
16 best I can.

17 EXAMINATION BY

18 MR. WOLIN:

19 Q. Please state your full name for
20 the record.

21 A. Police Officer Monique Amodeo.

22 Q. What is your present business
23 address?

24 A. Police Headquarters, 1490
25 Franklin Avenue, Mineola, New York 11501.

1 MONIQUE AMODEO

2 Q. What, if anything, did you do to
3 prepare for this deposition today?

4 A. What did I do?

5 Q. If anything, to prepare for this
6 deposition?

7 A. I didn't do anything.

8 Q. Did you speak to the county
9 attorney to prepare?

10 A. Yes. I thought you meant today.

11 Q. When did you speak to the county
12 attorney concerning this deposition?

13 A. I don't know the date.

14 Q. Did you review any documents to
15 prepare for this deposition?

16 A. I did not.

17 MS. BEN-SOREK: Today or in the
18 past?

19 MR. WOLIN: At any time?

20 Q. I didn't restrict the question to
21 today. Have you reviewed any documents at
22 any time to prepare for this deposition?

23 A. Yes.

24 Q. What did you review?

25 A. My letter.

1 MONIQUE AMODEO

2 Q. Anything else?

3 A. Just my letter.

4 Q. When you say your letter, what
5 are you referring to?

6 A. My letter to -- I don't know if
7 it was the district attorney's office or to
8 my commanding officer.

9 Q. Was that letter that she gave to
10 the County Attorney's Office that you have
11 withheld from production on the grounds of
12 attorney-client privilege?

13 MS. BEN-SOREK: Right. That's
14 part of the Notice of the Claim
15 investigation report.

16 Q. When did you furnish that letter,
17 as you call it, to the county attorney?

18 A. I don't have any dates, any
19 recall of any dates. I don't have it.

20 MS. BEN-SOREK: By counsel, I
21 will just clarify that. I believe it
22 goes to the police department legal
23 bureau and then it's forwarded to us.

24 MR. WOLIN: I understand.

25 Q. Did you review any the other

1 MONIQUE AMODEO

2 documents, besides that letter, to prepare
3 for this deposition?

4 A. No.

5 Q. Did you speak to anyone, other
6 than counsel, to prepare for this deposition?

7 A. No.

8 Q. Are you familiar with a Police
9 Officer Stassi?

10 A. I am.

11 Q. Did you speak to Police Officer
12 Stassi to prepare for this deposition?

13 A. No.

14 Q. Have you ever spoken to Police
15 Officer Stassi about the facts and
16 circumstances of this lawsuit?

17 A. While he was my partner.

18 Q. When was he your partner?

19 A. He was my partner for eight and a
20 half years.

21 Q. Did a come when he stopped being
22 your partner?

23 A. Yes.

24 Q. When did he stop being your
25 partner?

1 MONIQUE AMODEO

2 A. I don't have the exact date. It
3 was a year and a half ago, perhaps.

4 Q. How many times did you speak to
5 Officer Stassi about the allegations in this
6 lawsuit?

7 A. How many times?

8 Q. Yes.

9 A. I think when we had to write our
10 letter maybe. No, he was already gone at
11 that point. Just that day.

12 Q. The day that it occurred?

13 A. Yes. I believe he was gone when
14 they requested a letter.

15 Q. Subsequent to the date that this
16 incident occurred, which I think we will
17 ascertain was May 28th, 2014, have you spoken
18 to Officer Stassi about the facts and
19 circumstances of what had happened?

20 A. Say that again.

21 Q. Did you speak to Officer Stassi
22 after May 28th, 2014, about the facts or
23 circumstances of this case?

24 A. After that date, no.

25 Q. Did you communicate with Officer

1 MONIQUE AMODEO

2 Stassi in any form whatever, including
3 E-mails, concerning the facts and
4 circumstances of this case, after May 28th,
5 2014?

6 A. No.

7 Q. When was the last time you spoke
8 to Officer Stassi?

9 A. The day he left SRO, eighteen
10 months ago.

11 Q. And you said it was approximately
12 a year and a half ago.

13 A. Approximately.

14 Q. Besides counsel, have you ever
15 spoken to anyone else about the facts and
16 circumstances of this lawsuit, after May
17 28th, 2014?

18 A. My supervisor.

19 Q. And what is the name of your
20 supervisor?

21 A. Sergeant O'Mara.

22 Q. How many times did you speak to
23 the sergeant about the facts and
24 circumstances of this case?

25 A. I believe once when I handed in

1 MONIQUE AMODEO

2 my letter.

3 Q. Was that the letter that you
4 referred to previously?

5 A. It is.

6 Q. At the time you handed him the
7 letter, what, if anything, did you say to him
8 about the facts and circumstances of why you
9 were writing the letter?

10 A. We reviewed the letter.

11 Q. So you made the letter and you
12 gave it to the sergeant; is that correct?

13 A. Correct.

14 Q. And do you know what the Sergeant
15 did it?

16 A. I believe he had to write a
17 letter as well.

18 Q. Why did he have to write a
19 letter; do you know?

20 A. I have no idea how this process
21 works.

22 Q. Do you know what the sergeant did
23 the letter you gave him?

24 A. I have no idea what he did with
25 my letter or his letter.

1 MONIQUE AMODEO

2 MR. WOLIN: Well, I call for the
3 production of that letter. If she
4 gave it to the sergeant, then it
5 seems to me that would break the
6 attorney-client privilege.

7 MS. BEN-SOREK: We'll take the
8 request under advisement and please
9 put them in writing.

10 MR. WOLIN: I'm sorry?

11 MS. BEN-SOREK: And I ask that
12 you follow it up in writing.

13 Q. Is that the only time that you
14 interacted with the sergeant concerning the
15 facts and circumstances of this case?

16 A. Yes.

17 Q. Have you spoken to anyone else
18 concerning the facts and circumstances of
19 this case, after May 28th, 2014?

20 A. I don't think so.

21 Q. Have you communicated with
22 anyone, other than what you have testified
23 to, about the facts and circumstances of this
24 case, after May 28th, 2014?

25 A. I don't think so.

1 MONIQUE AMODEO

2 Q. Have you sent any E-mails to
3 anyone concerning the facts and circumstances
4 of this case, after May 28th, 2014?

5 MS. BEN-SOREK: Objection, but
6 you can answer.

7 THE WITNESS: I'm sorry?

8 MS. BEN-SOREK: Objection, but
9 you can answer.

10 A. I don't think so.

11 Q. By whom are you currently
12 employed?

13 A. Nassau County Police Department.

14 Q. How long have you been employed
15 by the Nassau County Police Department?

16 A. I'm in my 23rd year.

17 Q. And what is your current command?

18 A. The First Precinct.

19 Q. How long have you been assigned
20 to the first precinct?

21 A. Since I graduated the academy, 22
22 years.

23 Q. So basically the entire time?

24 A. Yes.

25 Q. And in May 2014, did you have a

1 MONIQUE AMODEO

2 particular are assignment within the First
3 Precinct?

4 A. We're assigned as school resource
5 officers to the Roosevelt School District.

6 Q. What is a school resource
7 Officer?

8 A. A liaison between the police
9 department and the school district.

10 Q. Was that a full-time assignment?

11 A. Yes.

12 Q. Did you do any other police work
13 in May of 2014, not concerning the Roosevelt
14 School District?

15 A. That's my assignment. Do I take
16 police action outside of the school? Yes, I
17 do.

18 Q. But when you say that's your
19 assignment, is that where you spend the
20 working day?

21 A. That's where I am assigned, to
22 the district.

23 Q. Are you assigned to any patrol
24 car?

25 A. Yes.

1 MONIQUE AMODEO

2 Q. And in May of 2014, what patrol
3 car were you assigned to?

4 A. I don't know if we had gotten a
5 new car by then, but it's RMP 139, I believe
6 that's what we were.

7 Q. 139?

8 A. I don't know if we had a new car
9 at that point.

10 Q. In May of 2014, as an SRO, did
11 you have a particular sector in which you
12 patrolled?

13 A. The Roosevelt School District.

14 Q. So as a police officer you do
15 patrol work; is that correct?

16 A. Yes.

17 Q. And during the normal course of
18 the day is it your testimony that your patrol
19 work consisted of going back and forth to
20 school facilities?

21 A. That is our assignment.

22 Q. Now, in May of 2014, were there
23 any other SROs that served the Roosevelt
24 School District?

25 A. No.

MONIQUE AMODEO

Q. When mentioned Officer Stassi, you indicated that he was your partner?

A. Yes.

Q. Was he your partner in May of 2014?

A. Yes.

Q. Was he an SRO?

A. Yes.

Q. So he was an SRO in May of 2014?

A. Yes.

Q. And was he an SRO with reference to the Roosevelt School District?

A. Yes. He was my partner.

Q. So you and he in May of 2014 were both SROs whose area of responsibility was the Roosevelt Union Free School District; is that correct?

A. That's correct.

Q. In May of 2014, were there any other police officers who were assigned as SROs at the Roosevelt School District?

A. No.

Q. As an SRO assigned to the Roosevelt Union Free School District in May

1 MONIQUE AMODEO

2 of 2014, what were your duties and
3 responsibilities?

4 A. We handled all assignments for
5 the school district.

6 Q. As an SRO, was it one of your
7 responsibilities to report to calls that you
8 received?

9 A. Yes.

10 Q. And can you describe during the
11 normal tour what you actually did in May of
12 2014?

13 MS. BEN-SOREK: Objection. You
14 can answer.

15 A. No, I can't.

16 Q. What's your shield number?

17 A. 913.

18 Q. And in May of 2014, I assume that
19 your immediate supervisor had the rank of
20 sergeant; is that correct?

21 A. Yes.

22 Q. On May 28th, 2014, what tour did
23 you work that day?

24 A. 0700 to 1700.

25 Q. Are you still an SRO in the

1 MONIQUE AMODEO

2 Roosevelt School District today?

3 A. Yes.

4 Q. Have you served as an SRO in the
5 Roosevelt Union Free School District
6 continuously since May of 2014?

7 A. Yes.

8 Q. When did you first start serving
9 as an SRO in the Roosevelt Union Free School
10 District?

11 A. I don't have that date.

12 Q. Can you approximate?

13 A. Five or six years.

14 Q. Five or six years prior to 2014
15 or prior to today?

16 A. Prior to today.

17 Q. So is it fair to say that in May
18 of 2014 you had been serving as an SRO in the
19 Roosevelt Union Free School District for
20 approximately three, four years?

21 A. I would say that's a good
22 approximation.

23 Q. And do you have a partner today?

24 A. Yes.

25 Q. What is the name of your current

1 MONIQUE AMODEO

2 partner?

3 A. Officer Padolecchia.

4 Q. Can you spell that, please?

5 A. Padolecchia.

6 Q. Did that officer succeed Officer
7 Stassi?

8 A. No.

9 Q. Was there someone in between?

10 A. Yes.

11 Q. Who was in between?

12 A. Bruckbauer.

13 Q. Can you spell that?

14 A. Bruckbauer.

15 Q. And do you know why that officer
16 stopped being your partner?

17 MS. BEN-SOREK: Objection.

18 Q. Do you know why that officer no
19 longer served as an SRO?

20 A. Who?

21 MS. BEN-SOREK: Objection. You
22 can answer. Once I tell you not to
23 answer --

24 A. Who? I don't know who you are
25 talking about.

1 MONIQUE AMODEO

2 Q. Bruckbauer?

3 A. He went on to another assignment.

4 Q. Now, prior to May of 2014, how
5 long had Officer Stassi been your partner?

6 A. Prior to May.

7 Q. Before May of 2014?

8 A. I don't know.

9 Q. Can you approximate?

10 A. When he left it was about eight,
11 eight and a half years from the day he left.

12 Q. Do you know why he left the
13 assignment as the SRO in Roosevelt?

14 MS. BEN-SOREK: Objection. You
15 can answer.

16 A. He went on to another assignment.

17 Q. What is his current assignment?

18 A. Marine Bureau.

19 Q. Now, in May of 2014, were you
20 familiar with Washington Rose Elementary
21 School?

22 A. Yes.

23 Q. During the course of your job
24 duties, approximately how many times per
25 month did you have the occasion to go to

1 MONIQUE AMODEO

2 Washington Rose?

3 A. I don't have stats.

4 Q. For what purposes would you
5 routinely go to Washington Rose?

6 MS. BEN-SOREK: Objection to the
7 form of the question. You can
8 answer.

9 A. Child abuse, child neglect,
10 anything, weapons, mostly that. Sex abuse.

11 Q. Prior to May of 2014 or prior to
12 May 28th, 20124, had you ever gone to
13 Washington Rose Elementary School with
14 reference to the conduct of a teacher?

15 A. Washington Rose? No.

16 Q. How about any facility within the
17 district?

18 A. Yes.

19 Q. And how many times?

20 A. For a teacher, including aided
21 cases where they got sick?

22 Q. Yes.

23 A. I can't answer that then.

24 Q. Did any of the calls, prior to
25 May 28, 2014, involve something other than an

1 MONIQUE AMODEO

2 aided case?

3 A. Yes.

4 Q. How many?

5 A. One that I can recall.

6 Q. What were the circumstances?

7 A. Rephrase that.

8 Q. Why did you respond to that
9 situation?

10 A. He needed to be -- he met the
11 Mental Hygiene Law.

12 Q. What school was that?

13 A. I believe that's the middle
14 school.

15 Q. When was it?

16 A. I have no recall.

17 Q. Can you approximate?

18 A. I can't. Not that.

19 Q. Now, prior to May 28, 2014, did
20 you know the assistant principal in
21 Washington Rose, Ms. Edith Higgins?

22 A. Yes.

23 Q. Had you ever met her?

24 A. Yes.

25 Q. How many times have you met her?

1 MONIQUE AMODEO

2 A. Multiple.

3 Q. And what about the principal, Mr.
4 Braswell, had you met him prior to May 28,
5 2014?

6 A. Yes.

7 Q. And how many times?

8 A. Multiple.

9 Q. I want to direct your attention
10 to May 28, 2014 May 28, 2014; were you
11 working on that day?

12 A. Yes.

13 Q. Were you working on that day as a
14 Nassau County police officer?

15 A. Yes.

16 Q. What tour were you working on
17 that day?

18 A. 0700 to 1700.

19 Q. Did you have occasion on that day
20 to report to Washington Rose?

21 A. Yes.

22 Q. Approximately what time?

23 A. I'd have to check my memo book.

24 MR. WOLIN: Why don't we mark
25 this?

1 MONIQUE AMODEO

2 (Whereupon, at this time, the
3 above-mentioned memo book was marked
4 by the reporter as Plaintiff's
5 Exhibit 9, for identification, as of
6 this date.)

7 Q. Before I show you that, I would
8 just like to ask you a couple of other
9 questions. You realize you are a defendant
10 in this case; is that correct?

11 A. Yes.

12 Q. Have you ever been a defendant in
13 any other case arising from your duties as a
14 Nassau County police officer?

15 A. Not that I recall.

16 Q. Have you ever testified under
17 oath before today?

18 A. Ever?

19 Q. Yes?

20 A. Yes.

21 Q. How many times?

22 A. I don't know.

23 Q. What type of matters?

24 A. Criminal cases.

25 Q. Other than criminal cases, have

1 MONIQUE AMODEO

2 you ever testified?

3 A. No. I don't think so.

4 Q. Have you ever given a deposition
5 before like you are doing today?

6 A. Not to my knowledge, no.

7 Q. Have you ever been convicted of a
8 crime?

9 MS. BEN-SOREK: Objection.

10 A. No.

11 MR. WOLIN: On what basis? You
12 can ask somebody if they were ever
13 convicted of a crime.

14 Q. So I will ask you to take a look
15 at Exhibit 9; have you ever seen that before?

16 A. Uh-huh -- yes.

17 Q. Are these excerpts from your memo
18 book?

19 A. Yes.

20 Q. What is a memo book?

21 A. A daily ledger.

22 Q. And you maintain this every day?

23 A. Yes.

24 Q. And what information is placed in
25 the memo book?

1 MONIQUE AMODEO

2 A. Assignments that we had gone on.

3 Q. Is it part of your duties and
4 responsibilities to maintain a memo book?

5 A. Yes.

6 Q. Are you required to maintain a
7 memo book?

8 A. Yes.

9 Q. And does this excerpt pertain to
10 your visit to the Washington Rose School on
11 May 28th, 2014?

12 A. Yes.

13 Q. What time did you arrive at
14 Washington Rose on May 28th, 2014?

15 A. I don't know what time we
16 arrived.

17 Q. I see in the left-hand margin
18 there are time notations?

19 A. Yes.

20 Q. What do those time notations
21 reflect?

22 A. 1337 is the time that we were
23 called to Washington Rose.

24 Q. And using that as a frame of
25 reference, approximately what time did you

1 MONIQUE AMODEO

2 arrive at Washington Rose?

3 A. I would say shortly thereafter.

4 Q. Did you arrive with Officer
5 Stassi?

6 A. We drive together.

7 Q. How did it come about that you
8 went to Washington Rose on May 28th, 2014?

9 A. We received a phone call from the
10 a assistant principal.

11 Q. And was that Ms. Higgins, if you
12 know?

13 A. Yes.

14 Q. If you know, what number did Ms.
15 Higgins use to contact you and Officer
16 Stassi?

17 A. I don't know.

18 Q. Hows was the call transmitted to
19 you?

20 A. Rephrase.

21 Q. Was it over your radio, was it on
22 the telephone?

23 A. Cell phone.

24 Q. It was on your cell phone?

25 A. Yes.

1 MONIQUE AMODEO

2 Q. Was it your cell phone or Officer
3 Stassi's cell phone or some other cell phone?

4 A. It was my phone.

5 Q. Did you answer the cell phone?

6 A. Yes.

7 Q. Did you know how Ms. Higgins new
8 your cell phone number?

9 A. I gave it to her.

10 Q. When had you given it to her?

11 A. When I met her, whenever that
12 was.

13 Q. Sometime prior to May 28th?

14 A. Yes.

15 Q. You answered the phone?

16 A. I did.

17 Q. What did Ms. Higgins say?

18 A. I can't tell you verbatim what
19 she said, but it was something to the effect
20 that we need to go up to the school, they had
21 an incident and that's all I can remember
22 from the details.

23 Q. Did she tell you anything about
24 the incident?

25 A. I don't remember if she said it

1 MONIQUE AMODEO

2 over the phone or we were nearby and we said
3 we would be there shortly. I don't recall
4 the conversation.

5 Q. And do you recall her saying
6 anything else?

7 A. No.

8 Q. Did she say if anyone had
9 directed her to call?

10 A. I don't recall.

11 Q. Did you identify the name of the
12 individual she was calling about?

13 A. I don't think at the time. I
14 don't recall that.

15 Q. Did Officer Stassi also speak to
16 her?

17 MS. BEN-SOREK: Objection. On
18 the phone?

19 MR. WOLIN: Yes.

20 Q. On the phone at that time?

21 A. No.

22 Q. So prior to your actual arrival
23 at Washington Rose, is it your testimony that
24 Ms. Higgins did not speak to Officer Stassi
25 while you were both in the car?

1 MONIQUE AMODEO

2 A. That's correct.

3 Q. So as far as you recollect, she
4 only spoke to you; is that correct?

5 A. Yeah. It's my phone.

6 Q. And she called your phone, so
7 would there have been anyone else that she
8 would have spoken to in making that call
9 before you answered?

10 A. I don't understand the question.
11 Say that again.

12 Q. She called your cell phone,
13 right?

14 A. Correct.

15 Q. So you directly answered call?

16 A. That's correct.

17 Q. There was no one who transferred
18 the call to you; is that correct?

19 A. That's correct.

20 Q. So to the best of your
21 recollection, did Ms. Higgins say anything
22 else that you haven't told me about at that
23 time?

24 A. Not that I recall.

25 Q. After you finished speaking to

1 MONIQUE AMODEO

2 Ms. Higgins, did you speak to Officer Stassi?

3 A. Yes.

4 Q. Who was driving the patrol car?

5 A. I am.

6 Q. And did you say anything to
7 Officer Stassi after receiving the call from
8 Higgins?

9 A. Yeah. We have to go to
10 Washington Rose.

11 Q. Did you say anything else?

12 A. They have an incident there. I
13 don't know if --

14 Q. Is it your testimony that you
15 knew nothing about the incident?

16 A. I don't recall what I knew about
17 the incident.

18 Q. Do you remember where you were
19 when you received the call?

20 A. I do not.

21 Q. Do you remember how long it took
22 you to get to the school?

23 A. I do not.

24 Q. When you got to the school, what
25 happened?

1 MONIQUE AMODEO

2 A. We responded to the main office,
3 greeted by Ms. Higgins and I believe that's
4 when she had gone into the details of the
5 event.

6 Q. So it's your testimony that the
7 first person you spoke to when you arrived at
8 the school was Ms. Higgins?

9 A. We could agree that somebody
10 greeted us prior to that.

11 Q. Did you speak to Mr. Braswell,
12 the principal.

13 A. I don't think so. Well, not
14 before Ms. Higgins.

15 Q. So it's your recollection that
16 you spoke to Ms. Higgins before you spoke to
17 Mr. Braswell; is that correct?

18 A. I don't recall. I can't clearly
19 say how the sequence of events went down. I
20 did speak to both of them that day.

21 Q. But you believe that you spoke to
22 Ms. Higgins first?

23 A. I believe so.

24 Q. And when you spoke to Ms. Higgins
25 initially, was anyone else present, besides

1 MONIQUE AMODEO

2 Ms. Higgins --

3 A. In the office?

4 Q. Yes.

5 A. I don't recall.

6 Q. So when you spoke to Ms. Higgins,
7 what was the conversation?

8 A. She went into detail as to why
9 she called.

10 Q. What did she say?

11 A. They had a teacher who was
12 hysterical, threatened to kill herself, was
13 so physically and emotionally excited that
14 she needed to be -- they needed to wheelchair
15 to get her through the building.

16 Q. Did she tell you when that had
17 occurred?

18 A. Yes.

19 Q. And what did she say?

20 A. Whatever -- it was prior to her
21 calling us. It was earlier in the day.

22 Q. Was that the only conversation
23 you had with Ms. Higgins that day?

24 A. I probably spoke to her more than
25 once, because we spoke-to -- we then spoke to

1 MONIQUE AMODEO

2 Braswell, whichever sequence of events and we
3 spoke to other people as well.

4 Q. Initially, what, if anything
5 else, did Ms. Higgins say?

6 A. That was the sum and substance of
7 what she said.

8 Q. Did she tell you where Ms.
9 McCarthy was?

10 A. Yes.

11 Q. And did she identify the person
12 as Ms. McCarthy?

13 A. At that point, yes.

14 Q. Do you know who Ms. McCarthy was?

15 A. No.

16 Q. Had you ever, to your knowledge,
17 met her before?

18 A. Not to my knowledge.

19 Q. Where did she say Ms. McCarthy
20 was?

21 A. At her sister's house.

22 Q. Did she tell you that she had
23 spoken or somebody had spoken to the sister
24 and Ms. McCarthy was calm?

25 A. She didn't tell us she was calm.

1 MONIQUE AMODEO

2 She was removed from scene by her sister
3 immediately after they used a wheelchair to
4 get her out, yes.

5 Q. Did she tell you what time she
6 had been removed from the school in a
7 wheelchair?

8 A. I don't know if she gave us an
9 exact time. It was earlier than they had
10 called us.

11 Q. Approximately how much earlier;
12 did she tell you?

13 A. I'm sure she gave us around about
14 figure off of the top of my head. It's not
15 in my book, so I don't know.

16 Q. Did you form a belief at the time
17 as to how much earlier it was that Ms.
18 McCarthy was removed from the school?

19 A. Yeah. We had an approximation.

20 Q. What was that approximation?

21 A. I don't know it now. I knew I
22 then.

23 Q. Do you remember what you then
24 knew to be the time frame?

25 A. Say that again.

1 MONIQUE AMODEO

2 Q. Do you know now what you then
3 knew to be --

4 A. I don't know now what I knew
5 then. That's what I'm saying.

6 Q. But it was sometime before you
7 had arrived; is that correct?

8 A. Correct.

9 Q. And did Ms. Higgins tell you that
10 somebody had called to see how Ms. McCarthy
11 was doing?

12 A. No.

13 Q. Did anyone tell you that they had
14 called to see how Ms. McCarthy was doing?

15 A. No.

16 Q. While you were at Washington
17 Rose, did anyone tell you that someone had
18 spoken to Ms. McCarthy or her sister and she
19 was considerably calmer than she had been
20 when she left the school?

21 A. No.

22 Q. You indicated that to the best of
23 your recollection when you first arrived you
24 spoke to Ms. Higgins; is that correct?

25 A. That's correct.

1 MONIQUE AMODEO

2 Q. Then who, if anyone, did you
3 speak to next?

4 A. Again, the sequence of events is
5 not clear, however, we did speak to Mr.
6 Braswell who confirmed that Ms. McCarthy --
7 Ms. McCarthy threatened to kill herself.

8 Q. Did Mr. Braswell say what the
9 basis of his knowledge was?

10 A. I believe he said he heard it.

11 Q. So according to your testimony,
12 according to your recollection, you believe
13 that Mr. Braswell said he had heard Ms.
14 McCarthy say that?

15 A. Mr. Braswell heard Ms. McCarthy,
16 yes.

17 Q. Is that what your understanding
18 was at the time?

19 A. I believe so.

20 Q. Was that your understanding based
21 upon what Mr. Braswell had told you at the
22 time?

23 A. Yes.

24 Q. What, if anything, else was said
25 between you and Mr. Braswell at that time?

1 MONIQUE AMODEO

2 A. I don't recall specifics.

3 Q. How many times that day did you
4 speak to Mr. Braswell concerning the
5 situation?

6 A. I would say just at the time we
7 were at the school.

8 Q. Just that one time?

9 A. Yes.

10 Q. How long were you in the school
11 for?

12 A. It's a very poor copy. Can you
13 see what time? The line below that we were
14 at Washington Rose, the next line, can you
15 see that time? Does that say 51?

16 Q. Well, that's the copy I received.

17 A. I can't read it. There's a line
18 through it.

19 Q. Does it say 1357?

20 A. I don't know. I can't read it.

21 Q. But if it says 1357, then that
22 would mean you were there for twenty minutes,
23 right?

24 A. Right. If it's 1351, we were
25 there for fourteen minutes.

1 MONIQUE AMODEO

2 Q. Based upon your independent
3 recollection, does that seem correct that you
4 were there anywhere from fourteen to twenty
5 minutes?

6 A. If that's what it says, that's
7 when we were there.

8 Q. During that fourteen- to
9 twenty-minute period, you spoke to Ms.
10 Higgins, right?

11 A. Yes.

12 Q. And you recounted that
13 conversation as best as you recollect?

14 A. Yes.

15 Q. Was that the only time that you
16 spoke to Ms. Higgins that day?

17 A. That day? Yeah, I believe that
18 it was. I think that was the only time we at
19 Washington Rose. I don't know if he
20 Washington Rose any other time during that
21 day. I doesn't say, so I'm guessing now.

22 Q. You indicated that you spoke to
23 Mr. Braswell; was that the only time you
24 spoke to Mr. Braswell that day?

25 A. I believe so with regard to that

1 MONIQUE AMODEO

2 incident.

3 Q. Did you speak to him at any other
4 time that day about anything else?

5 A. Not to my knowledge.

6 Q. So other than Mr. Braswell and
7 Ms. Higgins, who if anyone else, did you
8 speak to at Washington Rose concerning this
9 incident?

10 A. We spoke to the school
11 psychologist.

12 Q. Was that Ms. Swinkin?

13 A. Swinkin, yes.

14 Q. And did you speak to anybody
15 else?

16 A. We spoke to a teacher that I
17 don't know the name of.

18 Q. Now, while all these
19 conversations that were happening, were you
20 and Officer Stassi present at the same time?

21 A. We might not have been. One
22 might have been speaking to one while the
23 other was speaking to another.

24 Q. During your conversation with Mr.
25 Braswell, were you both present together at

1 MONIQUE AMODEO

2 the same time?

3 A. I don't know.

4 Q. But you remember specifically
5 that you were present during the Braswell
6 conversation; is that correct?

7 A. Yes.

8 Q. What about the Higgins
9 conversation, do you remember if you both
10 were present --

11 A. I mean --

12 MS. BEN-SOREK: Let him finish.

13 Q. Do you remember if you were both
14 present during the Higgins conversation?

15 A. I believe we were. I don't know
16 for certain.

17 Q. What about during the Swinkin
18 conversation, were you both present?

19 A. I believe we were both present
20 for that.

21 Q. I just want to show you what we
22 marked this morning during another deposition
23 as Exhibit 8, which is an incident report
24 that was provided by the school psychologist,
25 Ms. Swinkin. I want to direct your attention

1 MONIQUE AMODEO

2 to the end of this. I'm not going to read it
3 into the record, but look at the last
4 paragraph which goes onto the next page. Do
5 you see where it says, "At the end of the
6 school day I was called into the principal's
7 officer. When I arrived there was a school
8 resource officer waiting for me."

9 A. Okay. Can.

10 Q. Can you read from that point on?

11 A. To myself?

12 Q. Yes, to yourself.

13 (Short pause in proceedings.)

14 MR. WOLIN: While she's reading
15 that, let's take a two second break.

16 (Whereupon, at this time, a brief
17 recess was taken.)

18 Q. Have you reviewed that?

19 A. Yes.

20 Q. You said you were present during
21 the entire interaction with the school
22 psychologist?

23 A. I did not say I was present
24 during the entire. I said I was present with
25 my partner and we did speak to her.

1 MONIQUE AMODEO

2 Q. So are you saying you were
3 present the entire time?

4 A. I'm not saying I was present the
5 entire time. It's not -- this is -- this has
6 a lot of moving parts. So it's not like I
7 speak to you, we move on. We then might have
8 to go back to speak to you. I move on, I
9 speak to somebody else.

10 So I can't tell you at what time
11 where I was, when I was with him, when I
12 wasn't with him, what was stated. I could
13 tell you that he and I were with her at a
14 certain time together, what time that was, I
15 can't tell you.

16 Q. Now, she refers to he, so I
17 assume she is referring to Officer Stassi,
18 she says, "He then told me that I should not
19 have let her go home and that they will now
20 go to her house"; do you remember Officer
21 Stassi saying that?

22 A. We had told her that she should
23 not have let her -- we reiterated the Mental
24 Hygiene Law to her to see if she was familiar
25 with it. If he said that again when I wasn't

1 MONIQUE AMODEO

2 there, I can't speak of that, but I was there
3 when we told her she should not let her
4 leave.

5 Q. Why did you believe she should
6 not have let her leave?

7 A. She made a threat against herself
8 and she was visibly emotionally shaken the
9 way she was, she meets the Mental Hygiene
10 Law.

11 Q. What section of the Mental
12 Hygiene Law were you citing?

13 A. I wasn't citing. I was telling
14 her what we know. I don't have a section.

15 Q. Well, you said you referred to
16 the Mental Hygiene Law.

17 A. We know it sum and substance. We
18 know what we can do.

19 Q. What in sum and substance does
20 the Mental Hygiene Law say concerning this
21 situation?

22 A. If somebody is threat to
23 themselves or somebody else, they can be
24 shipped for an eval against their will.

25 Q. Now, did you hear Ms. Higgins say

1 MONIQUE AMODEO

2 that she didn't believe that Ms. McCarthy was
3 a threat?

4 A. She never said that in my
5 presence.

6 Q. Do you know if she said it in
7 Officer Stassi's presence?

8 A. I don't know.

9 Q. Is it your testimony that no one
10 told you that they had checked with Ms.
11 McCarthy at her sister's house and that she
12 had calmed down; nobody told you that?

13 A. Nobody told me that.

14 Q. And she then states here, again
15 she refers to he, so I assume she's talking
16 about Officer Stassi, "He told me to give him
17 my badge and my contact information,
18 including telephone number, address and date
19 of birth, which I did. Then the SRO asked me
20 for my license number." Did that happen in
21 your presence?

22 A. That did not happen in my
23 presence. We need her contact information,
24 name, date of birth, address for the case
25 report.

1 MONIQUE AMODEO

2 Q. But what about her license
3 number?

4 A. I don't know anything about that.

5 Q. Then it says, "He," again I
6 assume she's referring to Officer Stassi,
7 "Then told me that I should be aware of the
8 consequence of my actions and that he's going
9 to report me to the state"; do you remember
10 that being said?

11 A. No.

12 Q. Now, who, if anyone else, did you
13 speak to in the school that day concerning
14 the situation?

15 A. A friend of Ms. McCarthy that was
16 there and witness to the incident. I don't
17 have her name.

18 Q. Was that another teacher?

19 A. Yes.

20 Q. Was that Mrs. Beno?

21 A. I don't know.

22 Q. Do you have any writing which
23 would indicate who that person was that you
24 spoke to?

25 A. No.

1 MONIQUE AMODEO

2 Q. Did you make a case report?

3 A. Yeah. I'm sure we did.

4 Q. And did the case report indicate
5 everyone you spoke with?

6 A. Probably not.

7 Q. So was anyone else present when
8 you spoke to Ms. Beno or whoever it was?

9 A. I don't recall.

10 Q. And were both you and Officer
11 Stassi present?

12 A. I don't recall.

13 Q. But you remember you spoke to
14 her; is that correct?

15 A. Yes.

16 Q. And what did you say to her, what
17 did she say to you?

18 A. She confirmed all that the
19 assistant principal and principal had told
20 us. She said that she was, I believe,
21 personal friends with her and she was very
22 upset. She said she was an emotional wreck
23 and confirmed she had to be taken out, she
24 couldn't walk, in a wheelchair.

25 Q. Did she tell you that she had

1 MONIQUE AMODEO

2 spoken to Ms. McCarthy or her sister?

3 A. She did not. Can I just check my
4 cell phone.

5 MR. WOLIN: Sure.

6 (Discussion held off the
7 record.)

8 Q. So who, if anyone else, did you
9 speak to? You said you spoke to Ms. Higgins,
10 Mr. Braswell, a friend of Ms. McCarthy whose
11 name you're not sure about and the school
12 psychologist; did you speak to anybody else?

13 A. I believe that was it.

14 Q. Now, am I correct that at some
15 point while you were in Washington Rose you
16 and Officer Stassi made the decision to go to
17 the residence where Ms. McCarthy was; is that
18 correct?

19 A. That's correct.

20 Q. And who made that decision?

21 A. We both did.

22 Q. Why did you make that decision?

23 A. Because we needed to follow-up.

24 Q. Follow-up what?

25 A. Follow-up with the threat that

1 MONIQUE AMODEO

2 she made to kill herself.

3 Q. Again, who was your source of
4 that alleged statement?

5 A. Those four people you just
6 mentioned.

7 Q. They all told you that she had
8 threaten to kill herself?

9 A. Yes.

10 Q. And did they say it in those
11 words?

12 A. Yes, they threatened -- she
13 threatened to kill herself.

14 Q. And then you left the school and
15 proceeded where? You can look at your memo
16 book.

17 A. Somewhere around Sportsman Drive.
18 I can't see it. There's a line through it.

19 Q. Is there any reason why there's a
20 line through it?

21 A. Because the copier looks like
22 it's horrible. It's a horrible copy.

23 Q. If I saw the original would there
24 be a line there?

25 A. No. There shouldn't be, no.

1 MONIQUE AMODEO

2 MS. BEN-SOREK: I will check my
3 copy.

4 MR. WOLIN: Do you have the
5 original.

6 MS. BEN-SOREK: I don't have the
7 original, but I will check the copy
8 that I received from the PD. If it's
9 any better than this, I will
10 recirculate.

11 Q. So this excerpt from the memo
12 book says what?

13 A. It says we were en route to a
14 certain numerical on Sportsman Drive.

15 Q. Why don't you tell me from left
16 to right exactly everything that was said.

17 A. From left to right? The time
18 that we were en route to a location on
19 Sportsman Drive in Freeport in regards to the
20 investigation of Washington Rose.

21 Q. What does it actually say between
22 the time --

23 A. It says 1080.

24 Q. What does 1080 mean?

25 A. En route.

1 MONIQUE AMODEO

2 Q. And then it says to, looks like
3 233 Sportsman Drive Freeport, right?

4 A. Correct.

5 Q. What does it say after that?

6 A. In regards.

7 Q. And that's a reference to the
8 entry above that?

9 A. Correct.

10 Q. Now, there are entries below
11 that. Does that have anything to do with
12 this situation?

13 A. I believe it's 1600 we were clear
14 from that assignment, with the case report of
15 318938 and then we took meal.

16 Q. 107?

17 A. Correct?

18 Q. So does this mean that you were
19 on that assignment up until 1600?

20 A. Correct.

21 Q. So you left Washington Rose and
22 you went to the residence on Sportsman,
23 right?

24 A. Yes.

25 Q. How long did it take you to get

1 MONIQUE AMODEO

2 there?

3 A. I don't know.

4 Q. Well, you know, it's all within
5 the First Precinct.

6 A. No, it's not.

7 Q. Freeport is not in the First
8 Precinct?

9 A. Correct.

10 Q. So do you remember how long it
11 took you to get there?

12 A. I responded no. I don't know.

13 Q. Can you approximate how long it
14 took you to get there?

15 A. That's close to --

16 MS. BEN-SOREK: Don't guess if
17 you don't have a basis for it.

18 A. No, I have nothing. I don't know
19 what traffic was like.

20 Q. Did you have you of siren on?

21 A. Siren?

22 Q. The emergency --

23 MS. BEN-SOREK: Sirens.

24 Q. Your flashing lights or whatever?

25 A. I don't believe so. I don't

1 MONIQUE AMODEO

2 think that we had our emergency lights on.

3 Q. So you were just proceeding there
4 in regular traffic; is that correct?

5 A. I don't recall if at an
6 intersection, if it was red, if we went
7 through it. I don't recall.

8 Q. But in any case at some point you
9 got to the residence; is that correct?

10 A. Yes. We got there safely.

11 Q. And you and Officer Stassi both
12 arrived there; is that correct?

13 A. Yes.

14 Q. And was there any conversation
15 between you and Officer Stassi concerning
16 this matter en route to that house?

17 A. I'm sure there was.

18 Q. Do you remember?

19 A. I'm sure that we were discussing
20 the Mental Hygiene Law.

21 Q. And what were you discussing
22 about the Mental Hygiene Law?

23 A. We were shocked they allowed her
24 to leave.

25 Q. Why were you shocked that they

1 MONIQUE AMODEO

2 allowed her to leave under the Mental Hygiene
3 Law?

4 A. Because she should have been sent
5 for an evaluation.

6 Q. So it's your belief that rather
7 than being sent to her sister's home with her
8 sister, she should have gone to a medical
9 center for an evaluation?

10 A. Yes.

11 Q. And that's based upon your
12 belief, but obviously you weren't there at
13 the time that she was there.

14 A. I had four eyewitnesses that
15 confirmed the same exact story and a
16 psychologist as one of the four.

17 Q. Well, I'm not going to get into
18 other testimony, but be that as it may you
19 arrived there with Officer Stassi; is that
20 correct?

21 A. Yes.

22 Q. What happened when you arrived?

23 A. We went to the door. I believe
24 McCarthy's sister answered the door and
25 invited us in.

1 MONIQUE AMODEO

2 Q. Do you know of anyone from the
3 school had called Ms. McCarthy or her sister
4 to state that you were on you way?

5 A. I have no idea if anybody from
6 the school called her.

7 Q. When you left Washington Rose,
8 did you tell anyone that you were going to go
9 to the residence?

10 A. We told everyone.

11 Q. And when you say you told
12 everyone, who did you tell?

13 A. The four that we are speaking of.

14 Q. You told them collectively or
15 each time you had a conversation?

16 A. I don't know if it was
17 collectively or if it was two at a time or if
18 it was one and three, if it was all
19 individuals. All four of them knew -- excuse
20 me, three of them.

21 Q. Who are the three?

22 A. Higgins, Braswell and Swinkin.

23 Q. What, if anything, did Higgins
24 say when you said you were going to the
25 house?

1 MONIQUE AMODEO

2 A. I don't recall.

3 Q. Do you recall what Braswell said
4 when you said you were going to the house?

5 A. No. I don't recall it.

6 Q. Do you recall what Swinkin said
7 after you said you were going to the house?

8 A. No.

9 Q. Did anyone protest the fact that
10 you said you were going to the house?

11 A. No, not at all.

12 Q. So you got to the house, right,
13 you are both in uniform, right?

14 A. Correct.

15 Q. Did you knock on the door?

16 A. Or rang the bell.

17 Q. Who answered; the sister?

18 A. Correct.

19 Q. And did you identify yourself?

20 A. Did I need to. I was in full
21 uniform.

22 Q. Did you say why you were there?

23 A. We wanted to see her sister and
24 speak to her.

25 Q. Did you say why?

1 MONIQUE AMODEO

2 A. No.

3 Q. What, if anything, did the sister
4 say?

5 A. Come in.

6 Q. Was she friendly?

7 A. Very.

8 Q. And what then happened?

9 A. We met Ms. McCarthy and I believe
10 upstairs in the main -- I think it was up the
11 stairs. I'm not sure.

12 Q. You both you and your partner
13 went upstairs?

14 A. Yes. The main floor, whatever
15 the main floor of the house was. I don't
16 recall.

17 Q. Do you remember what room it was
18 that you saw her?

19 A. I believe like a living room
20 combination maybe.

21 Q. And did you observe Ms. McCarthy?

22 A. Yes.

23 Q. And where was she when you
24 observed her?

25 A. I don't recall where she was when

1 MONIQUE AMODEO

2 I first engaged with her, but we did have a
3 conversation in the living room.

4 Q. And do you remember if she was
5 standing or sitting?

6 A. I don't recall.

7 Q. And were both you and Officer
8 Stassi there at the same time?

9 A. Yes.

10 Q. So you both were there during the
11 entire encounter with Ms. McCarthy?

12 A. Yes.

13 Q. And can you tell me what you said
14 or what Officer Stassi said and what Ms.
15 McCarthy said, if anything?

16 A. I can't tell you who said what.
17 I could tell you generally what we spoke
18 about.

19 Q. Okay.

20 A. We told her why we were there.

21 Q. Why did you say you were there?

22 A. We received a call from
23 Washington Rose and they told us that she
24 made a threat to kill herself, she was
25 emotionally distraught and physically and she

1 MONIQUE AMODEO

2 had to be removed from scene by wheelchair
3 and her sister picking her up.

4 Q. What did you mean by saying she
5 had to be removed from the scene?

6 A. Clearly she wasn't capable of
7 walking under her own free will, they used a
8 wheelchair.

9 Q. Other than fact that she left in
10 a wheelchair, what other reason do you have
11 believe that she wasn't capable of walking
12 out on her own free will?

13 A. Because she didn't.

14 Q. Other than that, is there any
15 other reason?

16 A. No, other than testimony from
17 everybody else, what they gave us.

18 Q. What else, if anything, did you
19 or Officer Stassi say to Ms. McCarthy?

20 A. More of the same. We quoted --
21 we basically gave her a generalization of the
22 Mental Hygiene Law.

23 Q. What did you say about the Mental
24 Hygiene Law?

25 A. That if she was a threat to

MONIQUE AMODEO

herself or somebody else, that she would need an evaluation and she was very displeased with that and got very emotional and very excited at that point.

Q. Do you know how long had past between the time she left the school and your arrival in the house?

A. Right now do I?

Q. Yes.

A. No. I don't recall.

Q. Can you approximate?

A. Can you show me some paperwork?

Q. Would it be in the case report?

A. Maybe. Yeah, probably.

MR. WOLIN: Mark this.

(Whereupon, at this time, the above-mentioned case report was marked by the reporter as Plaintiff's Exhibit 10, for identification, as of this date.)

Q. Have you ever seen that document before?

A. Yes.

Q. What is it?

1 MONIQUE AMODEO

2 A. Case report.

3 Q. Who actually inputted the
4 information on this case report?

5 A. When you say actually inputted,
6 do you mean typed?

7 Q. Typed it?

8 A. Data.

9 Q. Yes?

10 A. Data, data processing. A
11 civilian.

12 Q. Who wrote the words?

13 A. Who dictated it?

14 Q. Yes?

15 A. Officer Stassi.

16 Q. And did you hear him dictate it?

17 A. I don't recall.

18 Q. By the way, when was it dictated?

19 A. It says -- it doesn't. It
20 normally says what time it's called in.

21 Q. Now, there's a date on top, it
22 says 9/9/2014?

23 A. That's means it was just printed
24 at that time.

25 Q. That means when it was printed,

1 MONIQUE AMODEO

2 right?

3 A. I believe so. The time of the
4 occurrence is 10:45, to answer your question.

5 Q. It says 10:45, so that would be
6 the --

7 A. The time of occurrence.

8 Q. The occurrence meaning when she
9 was in the school and at or about the time
10 she left, right?

11 A. It was when the incident
12 happened. She could have an hour after that.
13 I don't know what time, but that time is the
14 time she had made the threat around. I don't
15 know if I have the exact time that she left
16 or if they gave us the exact time when she
17 left.

18 Q. And the 1337 signifies what?

19 A. The time that we went status to
20 at school.

21 Q. When you first arrived in the
22 house and saw Ms. McCarthy, describe her
23 demeanor.

24 A. I'm just reading this.

25 Q. Okay.

1 MONIQUE AMODEO

2 A. Okay. Say it again.

3 Q. When you first saw Ms. McCarthy
4 when you entered the house, describe her
5 demeanor.

6 A. She was calm, but you could see
7 that she had been upset.

8 Q. Was she crying?

9 A. I don't recall at the time if she
10 was crying. I could she had been upset.

11 Q. But at the moment she was calm?

12 A. Yes.

13 Q. When you say you could see she
14 was upset, what do you base that statement
15 on?

16 A. Her overall appearance.

17 Q. What about her overall
18 appearance?

19 A. Meaning make-up was messed or
20 hair or -- it was a visible sign that she had
21 been upset.

22 Q. Based upon what, her make-up was
23 streaked?

24 A. I just remember that she -- you
25 could see she was upset and she stated she

1 MONIQUE AMODEO

2 was upset.

3 Q. But she didn't appear to be upset
4 at that moment; is that correct?

5 A. When she started talking about
6 the incident she was.

7 Q. But not when --

8 A. When we first walked in, when we
9 first observed her, she seemed calm. Once we
10 started talking to her is when she got
11 excited again.

12 Q. What, if anything else, did you
13 say to her at that time?

14 A. We were just in conversation with
15 her, just trying to gauge how she was doing.
16 She was already -- she told us that she had
17 already planned on suing the district. She a
18 personal problem with Mr. Braswell. Mr.
19 Braswell was singling her out, picking on
20 her. She couldn't take it anymore. They
21 happen to be in a meeting when she felt that
22 he either embarrassed her or spoke poorly to
23 her or wrote her up or something to that
24 effect and that's what precipitated her
25 meltdown.

1 MONIQUE AMODEO

2 Q. What, if anything else, did you
3 or Officer Stassi say to her?

4 A. Okay. Do what you want to do
5 with the school district, but, you know, we
6 were here specifically for the threat.

7 Q. And then what, if anything else,
8 did you or Officer Stassi say?

9 A. Again, verbatim I don't know. We
10 spoke to her for a little while. As she as
11 got more and more excited, when we were
12 talking about it, we requested an ambulance
13 to come to scene.

14 Q. And for what purpose did you
15 request an ambulance?

16 A. To take her to the medical
17 center.

18 Q. Now, was it your intent that she
19 go to the medical center before you arrived
20 at the premises?

21 A. No. We had to -- we had to
22 establish, we were go to speak to her and
23 figure out if she still met the criteria.

24 Q. By your testimony, what you have
25 testified to as to what you were told by the

1 MONIQUE AMODEO

2 people in the school district, is it your
3 testimony that that was not sufficient to
4 have her transported to the medical center?

5 A. Well, some time had gone by, so
6 we need to reevaluate and we did.

7 Q. Tell me everything that you based
8 your evaluation on, which lead to her being
9 transported to the medical center.

10 A. Well, she reiterate that she said
11 she wanted to kill herself.

12 Q. So it's your testimony she
13 reiterated that?

14 A. Yes. She told us that, yes, she
15 indeed say that.

16 Q. And is that contained in the case
17 report?

18 A. No.

19 Q. Don't you think that's an
20 important fact?

21 MS. BEN-SOREK: Objection. You
22 can answer.

23 Q. Don't you think that's important
24 fact?

25 THE WITNESS: You said answer?

1 MONIQUE AMODEO

2 MS. BEN-SOREK: Yes, answer.

3 A. No.

4 Q. Why is it not an important fact?

5 A. Because we had the school
6 psychologist that said that she put the
7 threat out. We went back there, we confirmed
8 that there was a threat and that we weren't
9 comfortable leaving her home.

10 Q. But you didn't think it was
11 necessary to put that in?

12 A. I didn't call in the case report.

13 Q. Now, it was your job in going
14 there to make an independent assessment as to
15 whether or not she was a threat, right?

16 A. Yes.

17 Q. And you weren't relying on what
18 you had been told at the school; is that
19 correct?

20 A. It gave us some influence.

21 Q. Did you feel that what you were
22 told at the school was sufficient cause to
23 have her transported to the medical center?

24 A. Normally, yes.

25 Q. What do you mean normally yes?

1 MONIQUE AMODEO

2 A. Normally yes. The difference was
3 the time difference.

4 Q. So when you arrived at the
5 residence, was it your intent that she be
6 transported to the hospital, without even
7 knowing what your interaction would be?

8 A. No.

9 MS. BEN-SOREK: Asked and
10 answered. You can answer.

11 A. No. If that was -- if that was
12 what we thought, we would have requested the
13 bus at the time. We evaluated her and then
14 requested the bus.

15 Q. So tell me each and every factor
16 that you utilized in your evaluation, which
17 led to your calling the ambulance?

18 MS. BEN-SOREK: Objection. You
19 can answer.

20 A. Say that again.

21 Q. Tell me each and every factor
22 that you relied upon in determining to call
23 the ambulance?

24 A. Her demeanor, the way she
25 responded and the things that she said.

1 MONIQUE AMODEO

2 Specifically, the fact that she did tell us
3 that she wanted to kill herself was a pretty
4 big one.

5 Q. Is that contained any writing
6 anyplace?

7 A. Clearly not.

8 Q. And am I correct that her
9 demeanor only changed once you started
10 talking to her, right?

11 A. Yeah, once we you started
12 talking.

13 Q. At what point in the conversation
14 did she start getting upset?

15 A. I don't recall what point it was.

16 Q. But it was during --

17 A. As soon as she saw us she was,
18 you know, a little uneasy.

19 Q. Well, did you think that it was
20 inappropriate for her to be uneasy when she
21 sees two police officers coming into the
22 house?

23 MS. BEN-SOREK: Objection. You
24 can answer.

25 A. No.

1 MONIQUE AMODEO

2 Q. So you don't fault her for being
3 upset by the fact that two police officers
4 without notice come to her place of residence
5 where she was?

6 A. That wasn't her place of
7 residence.

8 Q. I said where she was.

9 A. Where she was. Do I think it's
10 inappropriate?

11 Q. To be upset when two police
12 officers come unannounced --

13 A. No not after -- not after --

14 MS. BEN-SOREK: You got to let
15 him finish the question.

16 Q. The question is, do you think
17 it's inappropriate for someone to be upset
18 when two police officers in uniform come to
19 where you are at without notice and start
20 asking you questions?

21 A. No. I don't think it's
22 appropriate.

23 Q. You don't think it's appropriate
24 to be upset?

25 A. No, not really. After the

1 MONIQUE AMODEO

2 display that happened at the school, I would
3 think it would not be.

4 Q. You, of course, were not a
5 witness to the "Display" that happened in the
6 school; is that correct.

7 A. No, sir.

8 Q. So what, if anything else, did
9 you rely upon in determining that an
10 ambulance should be called?

11 A. All that I mentioned.

12 Q. Anything else?

13 A. Not that I recall.

14 Q. So to summarize, I think you said
15 that she again became upset once you and
16 Officer Stassi started talking to her, right?

17 A. Yes.

18 Q. And the fact that you claim that
19 she again threatened to hurt herself or kill
20 herself; is that correct?

21 A. She confirmed it.

22 Q. Which is not in writing anyplace;
23 is that correct?

24 MS. BEN-SOREK: Objection.

25 Q. Did you rely on anything else?

1 MONIQUE AMODEO

2 A. No.

3 Q. Did you confer with Officer
4 Stassi about whether an ambulance should be
5 called?

6 A. We were on the same page.

7 Q. Tell me how you know that you
8 were on the same page?

9 A. Because we worked together long
10 enough to know.

11 Q. Did you speak to anyone else
12 before you made the decision to call the
13 ambulance?

14 A. No.

15 Q. Did you contact your supervisor?

16 A. Not to my knowledge.

17 Q. Why didn't you contact the
18 supervisor?

19 A. We didn't have a need to contact
20 the super.

21 Q. Isn't there a protocol that you
22 could in that situation have contacted a
23 supervisor?

24 A. We didn't have a need.

25 MS. BEN-SOREK: Objection.

1 MONIQUE AMODEO

2 Q. But the bottom line is you did
3 not contact the supervisor; is that correct?

4 A. That is correct.

5 Q. Tell me what else was said
6 between you, Officer Stassi and Ms. McCarthy,
7 prior to you having her transported to the
8 hospital?

9 A. She willingly came with us to the
10 hospital. She wanted, I believe, to either
11 change or grab sneakers, I don't remember,
12 but I escorted her to wherever she wanted to
13 go and get whatever it was she needed and
14 then she walked out with us un-handcuffed.

15 Q. She walked out under her own
16 power?

17 A. Yes.

18 Q. Did she have to be escorted?

19 A. Meaning?

20 Q. Did she have to be restrained in
21 any way?

22 A. We did not restrain her.

23 Q. Did you make any contact with her
24 as you were escorting her out?

25 MS. BEN-SOREK: Objection to

1 MONIQUE AMODEO

2 form. You can answer.

3 A. I don't understand the question.

4 Q. Did you take her by the arm or by
5 the hand or anything else like that as you
6 were escorting her out?

7 A. No.

8 Q. At any time did you touch her
9 person?

10 A. Not that I recall, but --

11 Q. But what?

12 A. But if we did, it might have been
13 to assist her. It's a high step up into the
14 ambulance.

15 Q. Other than the possibility of
16 that, did Officer Stassi make any bodily
17 contact with her?

18 A. Not that I recall.

19 Q. Now, who told her that she was
20 going to be transported to the hospital?

21 A. I don't recall.

22 Q. And what was her reaction, if
23 any?

24 A. She was upset.

25 Q. Was she upset prior to being told

1 MONIQUE AMODEO

2 she's going to be transported to the
3 hospital?

4 A. She was upset prior to us telling
5 her, yes. The medicals will agree with
6 the -- that she met the criteria to take her
7 to the hospital.

8 Q. Did you discuss that with the
9 technician?

10 A. Yes.

11 Q. Was that name Field?

12 A. Yes.

13 Q. Had you ever been on assignment
14 together with him in the past?

15 A. Yeah.

16 Q. Tell me the conversation between
17 you and the AMT concerning being transported
18 the hospital.

19 A. I could tell you that we went
20 over the details of the event.

21 Q. And who was the one that actually
22 called for the ambulance, you or Officer
23 Stassi?

24 A. I don't recall.

25 Q. And at some point in time did the

1 MONIQUE AMODEO

2 ambulance arrive?

3 A. Yes.

4 Q. And that was AMT Field?

5 A. Yes.

6 Q. Was there anyone else in the
7 ambulance or only him?

8 A. He was solo.

9 Q. Were any other police officers
10 that appeared at the residence that day while
11 you were there?

12 A. No.

13 Q. What happened when the AMT
14 arrived?

15 MS. BEN-SOREK: Objection to
16 form. You can answer.

17 A. The AMT and Ms. McCarthy had a
18 conversation regarding her allergies,
19 medications, things of that nature.

20 Q. Did the AMT take any vitals?

21 A. I can't say for certain, but
22 probably.

23 Q. Do you remember what the AMT said
24 to Ms. McCarthy and what Ms. McCarthy said to
25 the AMT, if anything?

1 MONIQUE AMODEO

2 A. I don't, no.

3 Q. What, if anything, did the AMT do
4 in furtherance of Ms. McCarthy leaving the
5 residence?

6 A. What did he do?

7 Q. Yes. Did he escort her?

8 A. We all walked out to the
9 ambulance together.

10 Q. And she was placed in the
11 ambulance?

12 A. Yes.

13 Q. And did one of the police
14 officers go in the ambulance?

15 A. I don't recall how we transported
16 her.

17 Q. Well, doesn't somebody go in the
18 ambulance and somebody goes in the car?

19 A. A police officer drives the
20 ambulance.

21 Q. Drives the ambulance?

22 A. Yes.

23 Q. Do you remember who drove the
24 ambulance?

25 A. I don't.

1 MONIQUE AMODEO

2 Q. It was either you or Stassi,
3 right?

4 A. Correct.

5 Q. And either you or Stassi drove
6 the car?

7 A. Correct. Or the ambulance drove
8 us back. I don't recall.

9 Q. And you don't have any
10 recollection as to which of you drove?

11 A. I don't recall. It's like
12 whoever wants to drive, whatever.

13 Q. You all went to Nassau University
14 Medical Center?

15 A. Correct.

16 Q. Now, getting back to the case
17 summary report, you should have that in front
18 of you, the first page indicates that it was
19 approved by Kenneth Catalani; do you see
20 that?

21 A. Yes.

22 Q. Is he a sergeant?

23 A. Yes -- oh, no. He's a
24 Lieutenant.

25 Q. Did you ever speak to him about

1 MONIQUE AMODEO

2 this incident?

3 A. I don't recall.

4 Q. Other than Officer Stassi and the
5 AMT, did you speak to anyone else employed by
6 the PD concerning this incident?

7 A. Not that I recall.

8 MR. WOLIN: Please mark this.

9 (Whereupon, at this time, the
10 above-mentioned Patient Care Report
11 was marked by the reporter as
12 Plaintiff's Exhibit 11, for
13 identification, as of this date.)

14 Q. Exhibit 11, have you ever seen
15 that document before entitled Patient Care
16 Report?

17 A. No.

18 Q. Have you ever seen the form of
19 this document entitled Patient Care Report?

20 A. I've never seen this before.

21 Q. Do you know if this is a form
22 that is prepared by the AMT?

23 A. Yes.

24 Q. Now, I direct your attention to
25 the bottom portion of the first page, Bates,

1 MONIQUE AMODEO

2 11, it states here under the comments,
3 "Narrative: Upon arrival found a
4 sixty-two-year old female with police stating
5 she told the school psychologist that she
6 wanted to kill herself. Patient states she
7 said, 'My head hurts so bad I would not care
8 if I died'; did you ever hear her make a
9 statement like that?

10 A. I didn't hear that.

11 Q. Now, I think in terms of your
12 evaluation, you believe that there's a
13 difference between a patient stating they
14 want to kill themselves and a patient stating
15 that my head hurts so bad I would not care if
16 I die?

17 MS. BEN-SOREK: Objection. You
18 can answer.

19 A. What was that question?

20 Q. In making your evaluation, do you
21 think that there's a difference between
22 someone saying I want to kill myself and
23 someone saying my head hurts so bad I would
24 not care if I die?

25 A. It definitely furthers the claim.

1 MONIQUE AMODEO

2 Q. What furthers the claim?

3 A. The fact that she didn't care if
4 she lived or died, because she was in pain.

5 Q. So in your estimation anytime
6 someone makes a statement that I'm in such
7 pain I don't care if I die, that mandates
8 that they be sent to the medical center for
9 an evaluation; is that your testimony?

10 A. I did not say that.

11 Q. What, if any, training did you
12 receive in dealing with people who might be
13 mentally disabled?

14 A. Whatever I received in the police
15 academy.

16 Q. Can you describe what you
17 received?

18 A. I can't remember twenty-three
19 years ago.

20 Q. And when this incident occurred,
21 you had been in the academy approximately
22 twenty years before, right?

23 A. Approximately.

24 Q. Had you received any refresher
25 training in dealing with mentally disabled

1 MONIQUE AMODEO

2 people?

3 A. Not to my knowledge.

4 Q. Now, you indicated that you acted
5 pursuant to the Mental Hygiene Law?

6 A. Yes.

7 Q. Had you ever had any training in
8 what the Mental Hygiene Law says?

9 A. I'm sure we did in the academy.

10 Q. How about after the academy?

11 A. I don't know specifically.

12 Q. From the time you left the
13 academy until May of 2014, had you received
14 any instruction whatsoever on the Mental
15 Hygiene Law?

16 MS. BEN-SOREK: Asked and
17 answered. You can answer.

18 A. In the police academy.

19 Q. I said after you left the police
20 academy?

21 A. After I left the police academy?

22 Q. Yes.

23 A. No further training, to my
24 knowledge.

25 Q. Have you ever looked at the

1 MONIQUE AMODEO

2 Mental Hygiene Law?

3 A. If they gave it to us. I don't
4 recall.

5 Q. That would have been in the
6 academy?

7 A. Yes.

8 Q. Prior to this incident on May 28,
9 2014, had you ever before gone on a call
10 involving an alleged mentally disabled
11 person?

12 A. Yes.

13 Q. How many times?

14 A. I don't know.

15 Q. When had been the last time
16 before May 28th.

17 A. I don't know.

18 Q. Are you familiar with Department
19 Procedure OPS-1155?

20 A. Not off the top of my head I'm
21 not.

22 MR. WOLIN: Why don't we mark
23 this?

24 (Whereupon, at this time, the
25 above-mentioned department procedure

1 MONIQUE AMODEO

2 was marked by the reporter as
3 Plaintiff's Exhibit 12, for
4 identification, as of this date.)

5 MS. BEN-SOREK: Please note I
6 will object to questions specifically
7 on policy and practice, except to the
8 extent that the witness is a fact
9 witness from her own experience or
10 recollection, because she's only a
11 fact witness, not an expert witness.

12 MR. WOLIN: Of course.

13 Q. I show you what we have marked as
14 Exhibit 12; have you ever seen this document
15 before?

16 A. Not off the top of my head.

17 Q. Is it your testimony that the
18 decision that was made to transport Ms.
19 McCarthy to the medical center on May 28th
20 was based upon what you had learned in the
21 academy about twenty years before?

22 A. Yes.

23 Q. Are you aware of something called
24 the Mobile crisis outreach team MCOT, have
25 you ever heard of that?

1 MONIQUE AMODEO

2 A. I've heard of them.

3 Q. Had you heard of them in May
4 2014?

5 A. I've heard of them.

6 Q. Had you heard of them by the time
7 you went to Ms. McCarthy's sister's house?

8 A. Yes.

9 Q. Did you ever consider calling
10 someone from the Mobile Crisis Outreach Team?

11 A. No.

12 Q. Do you know if that possibility
13 was ever discussed with Officer Stassi?

14 A. I never discussed it with him.

15 Q. On May 28th, 2014, did you know
16 that you could call the Mobile Crisis
17 Outreach Team who would then respond to the
18 location?

19 A. If she did not meet the Mental
20 Hygiene Law. She met the Mental Hygiene Law,
21 as far as I was concerned.

22 Q. Why in your opinion did she meet
23 the Mental Hygiene Law.

24 MS. BEN-SOREK: Objection.

25 Asked and answered. You can answer.

1 MONIQUE AMODEO

2 A. For the multiple reasons I had
3 given you earlier.

4 Q. Now, is it your testimony that
5 when you arrived at the scene and you first
6 encountered Ms. McCarthy, that she was
7 conducting herself in a manner which was
8 likely to result in serious harm to herself
9 or others?

10 MS. BEN-SOREK: Objection.

11 Asked and answered. You can answer.

12 A. Say that one more time.

13 Q. Yes. When you arrived at the
14 scene and first encountered Ms. McCarthy, did
15 you believe that she was conducting herself
16 in a manner which was likely to result in
17 serious harm to herself or others?

18 A. When we first engaged with or
19 when we first observed? When we observed
20 her, we were just looking at her, so she
21 seemed calm. Once we engaged her she was --
22 her emotional state changed.

23 Q. Did you believe that the manner
24 in which she conducting herself was likely to
25 result in serious harm to herself?

1 MONIQUE AMODEO

2 A. After conversation with her?

3 Q. Yes.

4 A. Yes. Under the Mental Hygiene
5 Law, yes.

6 Q. You believe it was likely?

7 A. Yes.

8 Q. Now, whether you drove the
9 ambulance or the patrol car, you arrived at
10 the hospital, right?

11 A. Yes.

12 Q. And what happened when you
13 arrived at the hospital?

14 A. She went to triage and then she
15 went down to Area 4 or wherever it was at
16 that time, they switched it.

17 Q. Were you with her when she went
18 to triage or Area 4?

19 A. We all were there.

20 Q. And what did you observe, what
21 happened?

22 A. I don't understand the question.

23 Q. What happened?

24 A. The triage, they took her
25 pedigree information and they took her blood

1 MONIQUE AMODEO

2 pressure, probably her temperature, waited
3 for her wrist band. When she got her
4 wristband, we took her down to Area 4 where
5 the psych ward is or whatever the psych ward
6 was at the time.

7 Q. Did you speak to anybody?

8 A. I did not.

9 Q. Did Officer Stassi speak to
10 anybody?

11 A. Not that I recall. Normally the
12 AMT speaks to the --

13 Q. That was my next question. Do
14 you know if AMT spoke to anybody?

15 A. Normally it's his job to inform
16 the triage nurses.

17 Q. Did you overhear the
18 conversation?

19 A. I don't know.

20 Q. How long did you remain in the
21 hospital?

22 A. I don't know. It's a process.
23 It depends on where she was when we got in,
24 how many people were before us to get
25 triaged. Then how long it took her to get

1 MONIQUE AMODEO

2 triaged. Then to take her to Area 4, then we
3 have to be dismissed by security down there.
4 First they have to warrant her, we have to
5 fill out paperwork. I don't know how long
6 that process took.

7 Q. I think your memo book says you
8 signed off the job at 1600?

9 A. We went 101 and we back in
10 service at 1600.

11 Q. Does that mean you left the
12 hospital at 1600?

13 A. No. It doesn't mean that. It
14 means we go back in service usually once the
15 case report is called in. I don't know where
16 we went back in service at the time.

17 MR. WOLIN: I want to show you a
18 couple of more documents and I will
19 basically be done. Mark this.

20 (Whereupon, at this time, the
21 above-mentioned event search report
22 was marked by the reporter as
23 Plaintiff's Exhibit 13, for
24 identification, as of this date.)

25 Q. I show you what was marked as

1 MONIQUE AMODEO

2 Exhibit 13, it's an event search; have you
3 seen this document before?

4 A. No.

5 Q. What is the document entitled
6 Event Search, if you know?

7 A. I never saw it before.

8 Q. But do you know what an event
9 search document is, without having seen this
10 particular document?

11 A. I could do an event search on the
12 computer. It's a different computer, so I
13 haven't seen it like this.

14 Q. What's the different between 139
15 and 139-B?

16 MS. BEN-SOREK: If you know.

17 A. I don't know. B is usually the
18 tour. That's a day tour.

19 Q. So B reflects the tour?

20 A. Yes.

21 Q. Now, on the second page there's a
22 reference to other units, do you see that,
23 2358?

24 A. Okay.

25 Q. 2377?

1 MONIQUE AMODEO

2 A. Okay.

3 Q. Do you know what those references
4 are about?

5 A. Those are buses, ambulances.

6 Q. So why does it have two
7 ambulances?

8 A. Well, one might have been
9 assigned and then when 58, it looks like it's
10 a spare ambulance maybe, I don't -- the last
11 number is the precinct normally that they're
12 assigned to. So one would be the 7th, one
13 would be the 8th. One might have been closer
14 and gave the other one a disregard. I have
15 no idea just by this paperwork.

16 MR. WOLIN: Please mark this.

17 (Whereupon, at this time, the
18 above-mentioned Event log was marked
19 by the reporter as Plaintiff's
20 Exhibit 14, for identification, as of
21 this date.)

22 Q. I show you what we just marked as
23 Exhibit 14, entitled Background Event
24 Chronology; do you know what that document
25 is?

1 MONIQUE AMODEO

2 A. No.

3 Q. What?

4 A. No.

5 Q. Do you know who makes this
6 document?

7 A. No.

8 Q. Do you see where it says, "Term,"
9 it says, it looks like DISP-01?

10 A. Dispatcher 1.

11 Q. And what is CAD; is that the CAD
12 system?

13 A. Cad system.

14 Q. Then the 2377 is the bus?

15 A. Yep.

16 Q. So when it says Dispatcher 1
17 dispatcher 7, is that just the identity of
18 the dispatcher?

19 A. It's the precinct where the
20 dispatcher works and I believe it's the 1st
21 Precinct, 7th Precinct. So the 7th precinct
22 dispatched the 77 bus.

23 Q. What does LOI mean?

24 A. LOI? I don't see where it is.
25 Point it out.

1 MONIQUE AMODEO

2 Q. Four lines down.

3 A. Oh. Location of incident? I
4 don't know.

5 MR. WOLIN: One more document.

6 (Whereupon, at this time, the
7 above-mentioned Unit information was
8 marked by the reporter as Plaintiff's
9 Exhibit 15, for identification, as of
10 this date.)

11 Q. I show what we marked as Exhibit
12 15, entitled, "Unit Information"; have you
13 ever seen that document before?

14 A. Never.

15 Q. Do you know what the purpose of a
16 document entitled Unit Information is?

17 A. No.

18 MS. BEN-SOREK: Objection. You
19 can answer.

20 Q. Do you know who puts the
21 information on this document?

22 A. No.

23 Q. You see where it say S-T under
24 initials?

25 A. S-T?

1 MONIQUE AMODEO

2 Q. The second column from the left?

3 A. ST? Oh. Okay. What's the
4 question?

5 Q. What do those initial signified?

6 A. I don't know.

7 Q. There are numbers under
8 employees, do you see that? There's a
9 905540, 905584; do you see that?

10 A. I see that.

11 Q. Do you know what that is a
12 reference to?

13 A. I don't.

14 Q. I may have asked you this
15 question, if I have, I apologize.

16 Once you got to the hospital, did
17 you have any conversations with anybody?

18 A. No.

19 MR. WOLIN: I have no further
20 questions.

21 MR. SMITH: I have a few. I
22 will be brief, I promise.

23 EXAMINATION BY

24 MR. SMITH:

25 Q. At in point that day, did you

1 MONIQUE AMODEO

2 ever tell Ms. McCarthy that, in sum and
3 substance, you didn't think there was any
4 reason that you should have been called that
5 day?

6 A. No.

7 Q. Did you ever tell Ms. McCarthy
8 that someone at the district was obviously
9 out to get her, because they had called you?

10 A. No?

11 Q. Did you ever tell Ms. McCarthy
12 that you believed she should sue the district
13 for having called the police that day?

14 A. No.

15 Q. Did you ever hear anyone else
16 make such comments to Ms. McCarthy that day?

17 A. No.

18 Q. Now, you have already gone
19 through the basis for why you believed you
20 needed to evaluate Ms. McCarthy
21 independently. After you had made that
22 determination that you needed to evaluate,
23 you and your partner needed to evaluate Ms.
24 McCarthy, was there anything anyone at the
25 district could have told you at that point to

1 MONIQUE AMODEO

2 have changed your mind?

3 MR. WOLIN: Objection.

4 MS. BEN-SOREK: You can answer.

5 A. No. What they told us and what
6 we saw and heard together made the
7 determination.

8 Q. But the determination was based
9 in part upon what you personally observed
10 when you arrived at the house, correct?

11 A. Yes.

12 MR. SMITH: I have nothing else.

13 MR. WOLIN: Thank you.

14 (Whereupon, at 3:44 p.m.
15 these proceedings were
16 concluded.)
17

18 -----
19 MONIQUE AMODEO

20 Subscribed and sworn to

21 before me on this _____ day

22 of _____, 2016.

23 -----
24 NOTARY PUBLIC
25

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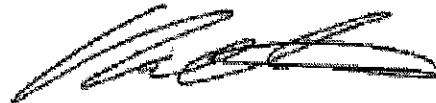
CERTIFICATION

I, RAYMOND P. STALKER, a notary public in and for the State of New York, do hereby certify:

THAT the witness whose testimony is hereby before set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness. I further certify that I am not related, either by blood or marriage, to any of the parties to this action; and

THAT I am in no way interested in the outcome of this matter.

IN witness whereof, I have hereunto set my hand this 20th day of May, 2016.



RAYMOND P. STALKER

ERRATA SHEET

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Mineola New York New York, New York

Name of Case: MCCARTHY v ROOSEVELT, ET AL

Date of Deposition: 5/12/16

Name of DEPONENT: MONIQUE AMODEO

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MONIQUE AMODEO

SUBSCRIBED AND SWORN TO BEFORE
ME THIS ____ DAY OF _____, 2016.

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COMMISSION EXPIRES

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2014. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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